

ORDER TO ADOPT

TITLE 13, DIVISION 1, CHAPTER 1

Article 2.3. Financial Responsibility

Sections 77.05, 77.10, 77.15, 77.16 and 77.17

§77.05. Restricted License Requirements.

(a) A person whose driving privilege has been suspended pursuant to Vehicle Code section 16070 may apply and qualify for one or more financial responsibility driver license restrictions as described in Sections 77.15, 77.16 and 77.17, Division 1, Chapter 1 of Title 13 of the California Code of Regulations by submitting the following to the department:

(1) An application for the restriction(s) as described in Sections 77.10, 77.15, 77.16 and 77.17, Division 1, Chapter 1 of Title 13 of the California Code of Regulations with the appropriate sections completed and signed.

(2) Proof of financial responsibility pursuant to Vehicle Code section 16430.

(3) A fee totaling \$250, as specified in Vehicle Code sections 16072 and 16077.

(A) A single \$250 restriction fee, pursuant to Vehicle Code sections 16072 and/or 16077, qualifies an applicant for one or more financial responsibility driver license restrictions in lieu of the mandatory one-year suspension.

(B) The \$250 fee shall be payable in a single payment.

(b) The applicant shall not be eligible for the driver license restriction(s) if any other suspension or revocation of the driving privilege is in effect or if the applicant's driver license is a commercial class A, class B or class C. When a driver with a commercial driver license downgrades to a non-commercial class C or M driver license, he/she may be eligible for the driver license restriction(s).

NOTE: Authority cited: Section 1651, Vehicle Code. Reference: Sections 16070, 16072, 16077, ~~and~~ 16078 and 16430, Vehicle Code.

§77.10. Application for a Driver License Restriction.

To drive a motor vehicle pursuant to Vehicle Code sections 16072 and 16077 and as described in Sections 77.15, 77.16 and 77.17, Division 1, Chapter 1 of Title 13 of the California Code of Regulations, the applicant shall complete, sign and submit to the department for approval the Application for Non-Commercial Restricted Driver License for (Financial Responsibility Actions), form {DL691 (REV. 6/2005) (Rev. 6/98)}, which is hereby incorporated by reference, to the department for approval. All applicants regardless of the restriction requested shall complete the Applicant Information section and Part D prior to submitting the form to the department.

NOTE: Authority cited: Section 1651, Vehicle Code. Reference: Sections 16070, 16072, 16077 and 16078, Vehicle Code.

§77.15. Employment Restriction.

To drive a motor vehicle (including vehicles registered in the applicant's name) to and from employment and during the course of employment, the applicant shall submit the ~~application~~ Application for Non-Commercial Restricted Driver License for Financial Responsibility Actions, form {DL 691 (REV. 6/2005), (Rev. 6/98)} with Part A completed. The restriction is not valid for a commercial class A, class B or class C driver license.

NOTE: Authority cited: Section 1651, Vehicle Code. Reference: Sections 16070, ~~and~~ 16072 and 16073, Vehicle Code.

§77.16. School Transportation Restriction.

(a) To transport a minor dependent in the applicant's immediate family to and/or from a primary or secondary educational institution (Kindergarten through Twelfth grade), the applicant shall submit the ~~application~~ Application for Non-Commercial Restricted Driver License for Financial Responsibility Actions, form {DL 691 (REV. 6/2005), (Rev. 6/98)} with Part B completed.

(b) For the purposes of this section a "minor dependent in the immediate family" is defined as any person enrolled in a primary or secondary educational institution who either resides within the household of the applicant or, without regard to place of residence, is the applicant's son, daughter, brother or sister.

NOTE: Authority cited: Section 1651, Vehicle Code. Reference: Section 16072, Vehicle Code.

§77.17. Medical Treatment Restriction.

(a) To drive to and from medical and/or mental health treatments for the suspended driver and/or an immediate family member of the suspended driver, the applicant shall submit the ~~application~~ Application for Non-Commercial Restricted Driver License for Financial Responsibility Actions, form {DL 691 (REV. 6/2005), (Rev. 6/89)} with Part C completed.

(b) For the purposes of this section "immediate family members" shall include, but are not limited to: a spouse, children, parents, or anyone who resides within the household of the applicant.

(c) For the purposes of this section and pursuant to Vehicle Code section 16077 and Evidence Code section 1010, a "practitioner" shall be defined as the health care professional licensed by the State of California who prescribed the treatment(s) upon which the restriction application is based. The professions qualified to sign shall include, but not be limited to: licensed physicians; surgeons; nurse practitioners; psychiatrists; psychologists; clinical social workers; and marriage, family and child counselors.

(d) A "serious health problem" shall be defined as a health problem that requires more than one treatment appointment.

NOTE: Authority cited: Section 1651, Vehicle Code. Reference: Section 1010, Evidence Code; and Section 16077, Vehicle Code.